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14 Robert Douglas Hazen

15 **FILED**

16 JUN 13 2005

17 RICHARD W. WIEKING
18 CLERK, U.S. DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 OAKLAND

21 **UNITED STATES DISTRICT COURT**

22 **NORTHERN DISTRICT OF CALIFORNIA**

23 **OAKLAND DIVISION**

24 UNITED STATES OF AMERICA,)

25 Plaintiff,)

26 v.)

27 ROBERT DOUGLAS HAZEN and)
28 EARL THOMAS COMBS,)

29 Defendants.)

30) Criminal No. CR-05-00197-CW

31) Noticed for Disposition on the
32) Calendar of The Honorable
33) Claudia Wilken at 2:30 p.m.,
34) June 13, 2005

1

2 **STIPULATED MOTION SETTING FILING DEADLINES FOR**
PRE-TRIAL MOTIONS AND HEARING DATE FOR SAME

3

4 COMES NOW Defendant Robert Douglas Hazen, by and through his
5 undersigned counsel, who respectfully moves this Honorable Court to set a deadline for
6 the filing of pre-trial motions, as well as the hearing date for same, as set out below. In
7 support thereof, the defendant states as follows:

8 1. Defendant's counsel is engaged in a detailed review of discovery
9 provided by the Government to-date in this case, which consists of over 10,000
10 documents and which reports Government investigator interviews of approximately 37
11 potential witnesses.

12 2. The indictment in this case alleges acts of conspiracy as well as aiding,
13 procuring, counseling and filing of false U.S. income tax returns and is, by its very
14 nature, complex as to factual basis. Additional time is needed to adequately complete
15 discovery review, provide reciprocal discovery to the Government, interview witnesses
16 and to prepare and file pre-trial motions in this case.

17 3. Assistant U.S. Attorney Thomas Moore has conferred with counsel and
18 we have jointly agreed to a motions filing deadline for the undersigned of September 5,
19 2005. In this connection, we ask the Court to set a motions hearing on said motions for
20 2:30 p.m., Monday, September 19, 2005.

21 4. In recognition of Speedy Trial Act issues which necessarily arise in
22 cases such as this, the voluminous evidence related to this case, the nature of the
23 prosecution involving multiple charges over a 7-year period and multiple defendants, it

1 would be wishful thinking only that the defense could adequately prepare for subsequent
2 pre-trial proceedings or for the trial itself without a reasonable amount of additional time.
3 Therefore, Defendant stipulates to exclusion of time between June 13, 2005, and
4 September 5, 2005, and as a basis therefor cites the inherent complexity of this case.
5 Defendant's counsel believes that the ends of justice served outweigh the interests of the
6 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(B)(ii).

7 WHEREFORE, Defendant respectfully requests that this Honorable Court grant
8 this motion setting the motions filing deadline, the hearing date, and to exclude time as
9 described above.

10
11 Respectfully submitted,

12 MICHAEL F. ARVIN, PC

13
14 Dated: _____

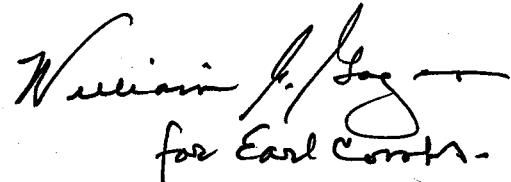
By: /s/

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23 CONCUR:

24
25 /s/


for Earl Corcoran

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13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **OAKLAND DIVISION**

16
17 UNITED STATES OF AMERICA,)
18 Plaintiff,) Criminal No. CR-05-00197-CW
19 v.)
20 ROBERT DOUGLAS HAZEN and)
21 EARL THOMAS COMBS,)
22 Defendants.)
23
24

ORDER

THIS MATTER comes before the Court on a Stipulated Motion Setting Filing Deadlines for Pretrial Motions, and Hearing Date for Same.

HAVING REVIEWED the motion and being otherwise advised in the premises, the Court finds that good and sufficient cause supports the same, and it is therefore

9 ORDERED that this stipulated motion is granted, and that the defense for Robert
10 Douglas Hazen shall file pretrial motions no later than September 5, 2005. It is further

11 ORDERED that this Court shall set a hearing date for such motions of September
12 19, 2005 at 2:30 p.m.. It is further

13 ORDERED that Speedy Trial Act considerations require the exclusion of time
14 related thereto from June 13, 2005, through September 5, 2005.

16 DATED this 13th day of June, 2005.

BY THE COURT:

Claudia J. Wilken
CLAUDIA WILKEN
U.S. DISTRICT COURT JUDGE